

LIBELED: 1-24-58, N. Dist. Ill.

CHARGE: 502(a)—the label of the article, when shipped, contained false and misleading representations that the article, when used as directed, was an adequate and effective treatment for the removal of round worms (ascarids) and nodular worms in swine.

DISPOSITION: 2-25-58. Consent—claimed by Pratt Laboratories, Inc., and relabeled.

5620. Worm-Kill. (F.D.C. No. 41394. S. No. 89-873 M.)

QUANTITY: 7 ctns. at Blackfoot, Idaho.

SHIPPED: 8-14-57, from Durango, Colo., by Colorado Livestock & Poultry Remedy Co.

LABEL IN PART: "Worm-Kill The All Purpose Wormer * * * Hogs * * * Sheep * * * Cattle * * * Chickens * * * Contents: KMNO₃, Sulfur, Cop-peras, Nicotine."

ACCOMPANYING LABELING: Leaflets reading, in part, "Worm-Kill * * * Highly Recommended for Prevention of Ticks and Lice on Poultry and Livestock and as a Wormer is Unexcelled."

LIBELED: 2-7-58, Dist. Idaho.

CHARGE: 502(a)—the labeling of the article, when shipped, contained false and misleading representations that the article was effective for treating all types of worm infestations in livestock and poultry and preventing infesta-tions by ticks and lice on livestock and poultry.

DISPOSITION: 3-10-58. Default—destruction.

INDEX TO NOTICES OF JUDGMENT D.D.N.J. NOS. 5581 TO 5620

PRODUCTS

	N.J. No.		N.J. No.
Arthritis, remedies for. <i>See</i>		Dandelion root, roasted.....	5614
Rheumatism, remedies for.		Del-Bardex capsules.....	5595, 5596
Asian influenza, remedies		-Caps capsules.....	5595
for.....	5606, 5610	Devices.....	5588, 5603-5605, 5617, 5618
Beauty eye masks.....	5617	Diuretics.....	5613
Belladenal tablets.....	5584	Doriden tablets.....	5584
Benactyzine, Suavitol, hydrochlo-		Drugmaster cough syrup.....	5606
ride tablets.....	5584	Dyn-R-Gy tablets.....	5608
Be-Slim Capettes.....	5612	Edwards Super Caps.....	5606
Beta Foplex, MRT Concentrate..	5601	Elm, slippery, food, malted	
Breasts, preparation for develop-		and unmalted.....	5614
ing.....	5611	Estrogenic substance.....	5584
Bu-Methyl pills.....	5613	Eye, beauty, mask.....	5617
Bursitis, remedies for. <i>See</i>		Formula "90" Supplement cap-	
Rheumatism, remedies for.		sules.....	5585
Cabbage, Sperry's, juice tablets..	5606	Gargle, Isodine.....	5616
Capettes, Be-Slim.....	5612	Gastric ulcers, remedy for.....	5606
Chorionic gonadotropin.....	5589, 5590	Gelatin Glory capsules.....	5609
Clarimycin.....	5581, ¹ 5582	Gonadotropin, Chorionic.....	5589, 5590
Cough syrup, Drugmaster.....	5606	Gout, remedies for. <i>See</i> Rheu-	
Cowlsarpa tablets.....	5592	matism, remedies for.	

¹ (5582) Seizure contested. Contains opinion of the court.

U.S. Department of Health, Education, and Welfare

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

5621-5640

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. They involve drugs and devices which were adulterated or misbranded within the meaning of the Act when introduced into and while in interstate commerce or while held for sale after shipment in interstate commerce. These cases involve seizure proceedings in which decrees of condemnation were entered after default or consent. The seizure proceedings are civil actions taken against the *goods* alleged to be in violation.

Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D.C., *October 20, 1959*

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*For omission of, or unsatisfactory, ingredients statements, see Nos. 5624, 5631; failure to bear a label containing an accurate statement of the quantity of the contents, Nos. 5624, 5631.

**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS
REPORTED IN D.D.N.J. NOS. 5621-5640**

Adulteration, Section 501(b), the article purported to be and was represented as a drug, the name of which is recognized in an official compendium (United States Pharmacopeia), and its strength differed from, and its quality and purity fell below, the standard set forth in such compendium; and Section 501(c), the article was not subject to the provisions of Section 501(b); and its strength and quality differed from that which it purported or was represented to possess.

Misbranding, Section 502(a), the labeling of the article was false and misleading; Section 502(b)(2), the article was in package form, and it failed to bear a label containing an accurate statement of the quantity of contents; Section 502(e), the article was a drug not designated solely by a name recognized in an official compendium, and its label failed to bear (1) the common or usual name of the drug; and (2) the drug was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient, including the quantity, kind, or proportion of alcohol contained therein; Section 502(f)(1), the labeling of the article failed to bear adequate directions for use; Section 502(f)(2), the labeling of the article failed to bear adequate warnings against use in those pathological conditions where its use may be dangerous to health, or against unsafe dosage or methods of duration of administration or application, in such manner and form, as are necessary for the protection of users.

New-drug violation, Section 505(a), the article was a new drug within the meaning of Section 201(p), which was introduced into interstate commerce, and an application filed pursuant to Section 505(b) was not effective with respect to such drug.

NEW DRUGS SHIPPED WITHOUT EFFECTIVE APPLICATION

5621. Clarimycin. (F.D.C. No. 41634. S. No. 8-347 P.)

QUANTITY: 880 display cards, each containing 1 btl., at Pittsburgh, Pa.

SHIPPED: 12-9-57, from Jersey City, N.J., by Merritt Corp.

LABEL IN PART: (Btl.) "Contents: 5 Drams Clarimycin Anti-Biotic Acne Lotion * * * Active Ingredients: Neomycin Sulphate, Allantoin."

RESULTS OF INVESTIGATION: The article was regarded as a new drug since it was represented to contain neomycin sulfate and was labeled with directions for use over an extended period of time.

LIBELED: 3-20-58, W. Dist. Pa.

CHARGE: 502(a)—the labeling of the article, when shipped, contained false and misleading representations that the article was an adequate and effective treatment for acne, pimples, blackheads, and stubborn skin infections; and 505(a)—the article was a new drug which may not be introduced into interstate commerce, and an application filed pursuant to the law was not effective with respect to such drug.

DISPOSITION: 6-20-58. Default—destruction.

5622. Pega Palo. (F.D.C. No. 41618. S. No. 18-288 P.)

QUANTITY: 142 cellophane pkgs. at Salt Lake City, Utah.